

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI

THE CHURCH OF JESUS CHRIST CHRISTIAN/)
ARYAN NATIONS OF MISSOURI, et al.,)

Plaintiffs)

v.)

SENATOR BARACK HUSSEIN OBABA, et al,)

Defendants)

Case No. 08-03405-CV-S-DGK

THE MISSOURI DEMOCRATIC PARTY'S MOTION TO DISMISS

COMES NOW Defendant, the Missouri Democratic Party ("MDP") by and through the undersigned counsel, and hereby moves this Court to dismiss with prejudice Plaintiffs' Amended Complaint against the MDP pursuant to Fed. R. Civ. P. 41(b) for failure to comply with the Federal Rules of Civil Procedure, and pursuant to Fed. R. Civ. P. 12(b)(6) for failure to state a claim against the MDP upon which relief can be granted.

In support of its Motion, the MDP states that Plaintiffs' Amended Complaint against the MDP does not contain a short, plain statement of the claim showing that the Plaintiffs are entitled to relief as required by F. R. Civ. P. 8(a). Further, the allegations contained in Plaintiffs' Amended Complaint against the MDP do not state facts which would entitle Plaintiffs to maintain a cause of action and, as a matter of law, fails to state a claim upon which relief can be granted. The MDP further relies upon and incorporates herein by reference its Suggestions in Support of this Motion, filed contemporaneously herewith.

Respectfully Submitted.

STEWART, MITTLEMAN, HEGGIE & HENRY, LLC

By: /s/ Seth A. Albin
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CERTIFICATE OF SERVICE

The undersigned certifies that on May 18, 2011, the foregoing was filed electronically with the clerk of the Court to be served by operation of the Court's electronic filing system upon all counsel of record in this case and a copy was sent by United States Mail, first class postage prepaid, to Plaintiffs at 338 Rabbit Track Road, Granby, MO 64844.

/s/ Seth A. Albin
Attorney